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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/516,823	06/01/2005	Akira Kawahara	OMY-0041	7306
23353 7590 01/10/2008 RADER FISHMAN & GRAUER PLLC LION BUILDING 1233 20TH STREET N.W., SUITE 501 WASHINGTON, DC 20036			EXAMINER FOSTER, CHRISTINE E	
			ART UNIT 1641	PAPER NUMBER
			MAIL DATE 01/10/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ XXXXXXXXXXXXXXXXXXXX	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10516823	6/1/2005	KAWAHARA ET AL.	OMY-0041

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WASHINGTON, DC 20036

EXAMINER

Christine Foster

ART UNIT	PAPER
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1641

20071212

DATE MAILED:

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Commissioner for Patents

The amendment filed on 12/6/07 is non-responsive because it amends all claims such that they are no longer directed to the elected invention (MPEP § 821.03). The remaining claims are not readable on the elected invention because the originally elected invention was that of a polyclonal antibody, i.e. a product. The instant amendments to claims 20 and 28 to now recite a process or method of making the antibody do not read on the elected invention of a product. The currently presented claims appear to be directed to the non-elected invention of Group VI (see the requirement for restriction mailed 4/20/06), which was not elected for consideration by Applicant.

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Lonk

LONG V. LE 12/21/07
SUPERVISORY PATENT EXAMINER
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